

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
SEPTEMBER 3, 1975

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, September 3, 1975 in the City Hall Council Chambers.

ROLL CALL	<p>Present: Councilmen HUGHES, KATNICH, PINKERTON and SCHAFFER (Mayor)</p> <p>Absent: Councilmen - EHRHARDT</p> <p>Also Present: City Manager Graves, City Attorney Mullen, Community Development Director Schroeder, Public Works Director Ronsko, and City Clerk Reimche</p>
INVOCATION	The invocation was given by Reverend Herbert Schaal of the Ebenezer Congregational Church.
PLEDGE	Mayor Schaffer led the Pledge of Allegiance to the flag.
MINUTES	Councilman Pinkerton moved the minutes of August 20, 1975 be approved as written and mailed. The motion was seconded by Councilman Katnich and carried.
ANNEXATION SALAS PARK ADDITION	Notice thereof having been published in accordance with law and affidavits of publication and mailing being on file in the office of the City Clerk, Mayor Schaffer called for the public hearing on the proposed annexation of the "Salas Park Addition". There was no one in the audience who wished to speak for or against the annexation and no communications were received concerning the matter. The public portion of the hearing was closed. On motion of Councilman Pinkerton, Hughes second, the City Council introduced Ordinance No. 1061 approving the annexation of certain uninhabited territory designated "Salas Park Addition".
ORD. NO. 1061 INTRODUCED <i>11-3-75</i>	
OFF-STREET PARKING REQUIRE- MENTS FOR INDUSTRIAL USES AMENDED	Notice thereof having been published in accordance with law, and affidavit of publication being on file in the office of the City Clerk, Mayor Schaffer then called for the public hearing on the recommendation of the Planning Commission regarding off-street parking requirements for industrial uses.
ORD. NO. 1062 INTRODUCED	The matter was introduced by Community Development Director Schroeder.

Minutes of September 3, 1975, continued

There were no persons present who wished to speak on the matter, and the public portion of the hearing was closed.

Councilman Katnich then moved introduction of Ordinance 1062 amending Section 27-13 of the City Code of the City of Lodi, thereby amending the off-street parking requirements for industrial uses. The motion was seconded by Councilman Pinkerton and carried.

LODI AVENUE
STRIPING & NO
PARKING

11-5-75

Mayor Schaffer announced that Councilman Ehrhardt was unable to be present at the Council meeting because of an injury he had received as the result of an accident he had the previous evening. At the request of Councilman Ehrhardt and with Council's concurrence, Agenda Item "G" - "Lodi Avenue Striping and 'No Parking' Zones - Hutchins to Pleasant Avenue" was continued to the September 17, 1975 regular Council meeting.

CITIZENS PLEA FOR
INSTALLATION OF
ADEQUATE SAFETY
APPARATUS AT
CHURCH & TOKAY
INTERSECTION

11-5-75

Mr. Ken Martin, 526 S. Church Street, Lodi addressed the Council stating that he and a group of his neighbors were present at the Council meeting to apprise the Council of a hazardous situation that presently exists at the intersection of Tokay and Church Streets and that they are requesting Council's assistance in seeing that appropriate safety apparatus is installed at this intersection to alleviate this hazardous situation. Mr. Martin presented a petition bearing approximately 52 signatures which reads: "We, the undersigned citizens of the Tokay and Church Street area respectfully request the City Council to establish the corner of Tokay and Church Street a hazardous intersection, and install adequate apparatus for the protection of our children and property".

Mr. Martin went on to say that he and his wife have personally reported a total of 7 accidents since the first of this year at this intersection. Mr. Martin stated that the southbound Church Street traffic travels at excessive speeds, explaining that Church Street is a 25 MPH street and that this intersection is a blind intersection as the ivy and roses growing on the fence at Needham School on the northwest corner of Church Street makes visibility very bad. Mr. Martin requested that immediate action be taken to alleviate this hazardous situation.

Public Works Director Ronsko presented an accident diagram of the accidents which have occurred at this intersection within the last twelve months. Mr. Ronsko answered questions as were directed by Council, and stated that he would recommend an in depth study be made of the entire intersection.

Mr. Marshall Hunt, 724 South Church Street, Lodi, spoke about the growth of rose bushes on the fence located on the northwest corner of Church Street and the hazard caused by this obstruction, stating he felt the rose bushes should be completely destroyed so as to not grow back again.

Mr. Victor Gillet, 522 South Church Street, Lodi stated that he feels that traffic should be slowed down on Church Street, as he feels that speed on this street is a major factor contributing to this hazardous intersection.

Reverend Herbert Schaal, 825 Central Avenue, Lodi stated that he felt a large suspended flashing light at this intersection would be most effective.

Following discussion by the Council with questions being directed to Mr. Martin and to the City staff, on motion of Councilman Katnich, Hughes second, Staff was directed to have an in depth study made of the intersection of Tokay Street and Church Street, with a report of findings to be prepared for presentation at the September 17, 1975 regular Council meeting.

Mayor Schaffer then directed the City Manager to contact the Chief of Police regarding more stringent enforcement of speed laws in the area of Church Street and Tokay Street.

VEHICULAR PARKING
IN CLOSE PROXIMITY
TO INTERSECTIONS
ASKED TO BE
REVIEWED

11-21-75

Councilman Hughes suggested a re-evaluation of the City's policy of allowing vehicles to park within close proximity to intersections within the City, and asked if the City's engineers could not look into this further.

CROSSING GUARD
REQUESTED FOR
HUTCHINS-
KETTLEMAN-WEST
LANE AREA

Mr. Ed Beswick, 1940 South Church Street, Lodi addressed the Council, speaking of his concern for school children having to walk in the area of Hutchins, Kettleman and West Lane and asked the Council to provide a crossing guard in this area. Mr. Beswick stated that in the area between Kettleman Lane and Century Boulevard and the railroad tracks, approximately 150 children walk to Leroy Nichols School daily. Mr. Beswick stated that there is not one sign in this area warning of the traversing of school children, and that the speed limits in the area are ignored. Mr. Beswick added that he has talked to school officials regarding this matter, and has been informed by them that there is no way busing can be provided for these youngsters.

Discussion followed with Council directing questions to Mr. Beswick and to the City staff.

Minutes of September 3, 1975, continued

Mayor Schaffer then directed Staff to study Mr. Beswick's request and to have a report of findings prepared for presentation to the Council at the September 17, 1975 regular Council meeting.

Mayor Schaffer requested that the City Manager contact the Chief of Police regarding more stringent enforcement in this area also.

PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of August 25, 1975:

PLANNING COMMISSION CERTIFIES PROPOSED 1975-76 CAPITAL IMPROVEMENT PROGRAM

31-15

1. Certified the 1975-76 Capital Improvement Program, as presented by the City Manager, as being in conformance with the City's Adopted General Plan and recommended its approval to the City Council.
2. Recommended that the City Council authorize funds to cover the expenses of those members of the Site Plan and Architectural Review Committee appointed by the Chairman of the Planning Commission attending educational conferences and classes related to site planning and architectural review.

FUNDS AUTHORIZED FOR SITE PLAN AND ARCHITECTURAL REVIEW COMMITTEE MEMBERS

31-16

On motion of Councilman Katnich, Hughes second, Council authorized funds to cover expenses of those members of the Site Plan and Architectural Review Committee appointed by the Chairman of the Planning Commission attending educational conferences and classes related to site planning and architectural review as recommended by the Planning Commission.

ACTIONS OF INTEREST

1. Conditionally approved the request of Mr. Leon Perlegos for a Use Permit to allow construction of an off-street parking lot, at 1332 South Hutchins Street in an area zoned R-MD, Medium Density Multiple Family Residential, to be used as additional parking for Save-Mart Food, an adjacent market located at 1340 South Hutchins Street in an area zoned C-2, General Commercial.

2. Tabled the referral by the San Joaquin County Planning Department of the request of the Moose Lodge to construct a clubhouse for 400 members on the west side of U. S. 50-99, 400 feet south of Peltier Road on a 4-acre parcel in an area zoned GA-5, General Agriculture, 5-acre Minimum.

This item was tabled pending an appeal by the Applicant of the requirement to prepare an Environmental Impact Report.

3. Recommended that the San Joaquin County Board of Zoning Adjustment approve the request of Mr. Stephen J. Borra for a Use Permit to operate a winery at 1801 East Armstrong Road, 2560 feet east of Lower Sacramento Road in an area zoned GA-5, General Agriculture, 5-acre Minimum.

MOOSE LODGE
REQUEST WITH-
DRAWN

Community Development Director Schroeder apprised the Council that the Moose Lodge has since withdrawn their request to construct a clubhouse on the west side of U.S. 50-99, 400 feet south of Pelmer Road.

COMMUNICATIONS

ABC LICENSES

The following applications for Alcoholic Beverage License have been received and were presented by the City Clerk:

1) Jacob, George J. and Rahmeh Bandi, E & L Market, 844 South Central Avenue, Lodi, Person to Person transfer, Off Sale Beer and Wine, Transfer from Roy L. Hollenback.

2) Aldee Market, Inc., 214 N. Cherokee Lane, Lodi - Alton P. Brinlee President and Dione M. Brinlee, Vice President - Off Sale General - Person to Person Transfer (Stan's Market)

PUC HEARING

The City Clerk presented a Notice of Hearing before the Public Utilities Commission of the State of California (Application No. 55527) which had been received. This is an application of the Pacific Telephone and Telegraph Company, a corporation, for a revised tariff for SG-1, Private Branch Exchange Service. The hearing is set for September 10, 1975 at 10:00 a.m., 350 McAllister Street, San Francisco, California.

50 METER POOL
FAVORED AT TOKAY
HIGH SCHOOL

A letter was presented by the City Clerk which had been received from Joel Timm, 1103 Dartmoor Circle, Lodi. The letter stated that Mr. Timm is in favor of a 50 meter swimming pool at the new Tokay High School.

San Joaquin County Local Agency Formation Commission Resolution No. 243 approving the "West Turner Road Addition", 75-2, to the City of Lodi was presented by the City Clerk. The addition is for the uninhabited annexation of 0.8 acres, consisting of an approximately 1,300 foot length of the northerly traffic lane of West Turner Road. The contiguous stretch of southerly traffic lanes is already within the Lodi City limits. The purpose of this annexation is to unify traffic control and maintenance jurisdictions for this segment of roadway. Council was apprised that some time ago the San Joaquin County Board of Supervisors had adopted

Minutes of September 3, 1975, continued

"WEST TURNER ROAD
ADDITION"
ANNEXATION

RES. NO. 4100

Resolution No. R-73-2639 providing blanket consent to annexation of county roads. Said Resolution is applicable in this case as consent of all landowners. A copy of this resolution is on file in the office of the City Clerk.

Following discussion, on motion of Councilman Pinkerton, Katnich second, Council adopted Resolution No. 4100 annexing the "West Turner Road Addition" to the City of Lodi.

LODI NAMED
OFFICIAL
BICENTENNIAL
COMMUNITY

City Manager Graves presented a Mailgram which had been received from Kent B. Williams, Regional Director, American Revolution Bicentennial Administration advising that the City of Lodi has been designated as an official bicentennial community.

CITY OF BELMONT
SUPPORTS STATE
REVENUE SHARING

City Manager Graves presented a Resolution which had been received from the City of Belmont expressing support for the League of California Cities State Revenue Sharing proposal.

LODI AMBULANCE
SERVICE REQUESTS
MEETING WITH C.M.

The City Manager informed Council that he was in receipt of a letter from the Lodi Ambulance Service requesting a session with the City Manager regarding a rate increase. The City had received a letter approximately 10 months ago stating that the Lodi Ambulance Service would freeze their rates for a one year period, which 12 month period ends in November.

DEPT. OF TRANS-
PORTATION STAFF
REDUCTIONS

Mayor Schaffer presented a letter which he had received from the State Department of Transportation advising of staff reductions within that Department and asking for consideration of these employees for any future job openings within the City of Lodi.

WASTEWATER
MANAGEMENT STUDY
DATA SUBMISSION
EXTENDED

Mayor Schaffer presented a Public Notice received from the Department of the Army extending from August 22, 1975 to October 22, 1975 the date for the submission of additional data to the Board of Engineers for Rivers and Harbors regarding the San Francisco Bay and Sacramento-San Joaquin Delta, Water Quality and Waste Disposal Investigation - Land Application Alternatives for Wastewater Management.

DOW CHEMICAL
PETRO-CHEMICAL
PLANT REQUIRE-
MENTS

Councilman Pinkerton reported that Dow Chemical Company has plans to construct a new Petro-chemical Plant, which would create 1,000 new jobs. EPA and the Air Pollution Control District are requiring some 60 permits be obtained by Dow Chemical for this project at a cost of approximately \$850,000. The cost of preparing the EIR for this project is over 1/2 million dollars and will take about two years to complete. Councilman Pinkerton stated that even though Lodi is a little City, he feels that it is time "we" do something to eliminate some of these 60 bureaus.

Councilman Pinkerton stated that inasmuch as Chrysler Motor Corporation has had to pay approximately \$328,000 in fines for pollution violations, he is curious if the City and County of San Francisco have paid fines for the pollution of the San Francisco bay waters caused by the dumping of raw sewage.

S. F. CITY &
COUNTY POLLUTION
OF BAY WATERS

Following discussion of the matter, on motion of Councilman Katnich, Hughes second, Council directed the City Attorney to ascertain and report as to whether the City and County of San Francisco have paid fines for the pollution of bay waters caused by the dumping of raw sewage into the bay.

CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, the following actions hereby set forth between asterisks, on motion of Councilman Pinkerton, Katnich second, were approved by Council.

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$535,659.12.

City Manager Graves' report to the Council advised that in order for the Utility Department to provide adequate electric service to the Lodi Cold Storage, Inc., it was necessary to cross a Southern Pacific Transportation Co. siding. Earlier this year the Southern Pacific Transportation Company prepared an indenture to cover this crossing. The Southern Pacific Transportation Company has now requested a resolution covering the Indenture, authorizing the Mayor to execute the document.

RESOLUTION NO. 4101

AGREEMENT WITH
S.P. RE: OVERHEAD
POWER LINE
CROSSING

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE SOUTHERN PACIFIC TRANSPORTATION COMPANY COVERING AN OVERHEAD POWER LINE 120 FEET NORTH OF LOCKEFORD STREET ACROSS THE SOUTHERN PACIFIC TRANSPORTATION COMPANY RIGHT-OF-WAY.

RES.NO. 4101
ADOPTED

ACCEPTANCE OF
"CENTURY BLVD.
SANITARY SEWER &
STORM DRAIN"-SPRR
TO STOCKTON ST.

City Manager Graves' report to the City Council recommended the Council accept the improvements in "Century Boulevard Sanitary Sewer and Storm Drain, SPRR to Stockton Street". The City Manager advised that the contract had been awarded to the Claude C. Wood Company on June 4, 1975 and that the contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

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COUNCIL ACCEPTED THE IMPROVEMENTS IN "CENTURY BOULEVARD SANITARY SEWER AND STORM DRAIN, SPRR TO STOCKTON STREET", AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

ACCEPTANCE OF
"EVAPORATIVE
CONDENSORS
ADDITION - PUBLIC
SAFETY BUILDING"

The City Manager recommended that Council accept the improvements in "Evaporative Condensors Addition - Public Safety Building". City Manager Graves apprised the Council that the contract was awarded to Camellia City Mechanical on April 16, 1975, and that the contract has been completed in substantial conformance with the plans and specifications approved by the City Council.

COUNCIL ACCEPTED THE IMPROVEMENTS IN "EVAPORATIVE CONDENSORS ADDITION - PUBLIC SAFETY BUILDING" AND DIRECTED THE PUBLIC WORKS DIRECTOR TO FILE A NOTICE OF COMPLETION WITH THE COUNTY RECORDER'S OFFICE.

COUNCIL REAFFIRMS
POSITION AS STATED
IN ADOPTED
GENERAL PLAN

Continued for discussion from the August 20, 1975 regular Council meeting was the matter of the August 5, 1975 letter received from the San Joaquin County Local Agency Formation Commission to which was attached a certified copy of the Commission's Resolution No. 238 approving the Country Club Vista annexation to the Woodbridge Sanitary District.

Councilman Pinkerton asked to be excused from the discussion, because of a possible conflict of interest.

The matter was discussed at length with questions being directed to staff by the Council.

Following discussion, Mayor Schaffer directed, with Council's concurrence, that the record show the Council reaffirmed its previous position, as stated in the adopted General Plan, which would oppose the extension of utilities north of the Mokelumne River, while acknowledging that Country Club Vista and adjacent subdivisions exist.

DESTRUCTION OF
COUNCIL MEETING
TAPES AUTHORIZED
FOLLOWING APPRO-
VAL OF MINUTES

RES. NO. 4102

Following introduction of the matter by City Manager Graves, on motion of Councilman Katnich, Pinkerton second, Council adopted Resolution No. 4102 authorizing the City Clerk to destroy the tape recordings made of the meetings of the City Council as soon as the same have served the purpose of the City Clerk in transcribing and preparing the minutes of said meeting and those minutes have been approved by the Council.

UTILITY OUTLAY
& CAPITAL
IMPROVEMENT
BUDGET FISCAL
1975-76

City Manager Graves presented the proposed Capital Outlay and Utility Outlay programs for the fiscal year commencing July 1, 1975 and ending June 30, 1976 for Council's scrutiny. Following discussion, Councilman Pinkerton moved introduction of Ordinance No. 1063 - "An Ordinance Adopting a Utility Outlay and a Capital Improvement Budget for the fiscal year beginning July 1, 1975 and ending June 30, 1976. The motion was seconded by Councilman Hughes and carried.

ORD. NO. 1063
INTRODUCED

City Manager Graves apprised the Council that Stone and Youngberg have submitted a contract for their services in selling the sewer bonds. The contract is similar to the two previous contracts, and the cost of \$7500 is about the same. The City Manager also advised that in addition to the cost for the financial consultants, the City must pay the cost of the bond attorney's opinion and the printing of the prospectus and bonds.

CONTRACT WITH
STONE & YOUNGBERG
APPROVED TO SELL
SEWER BONDS

On motion of Councilman Hughes, Pinkerton second, Council approved the contract with Stone and Youngberg for their services in selling the sewer bonds for the City of Lodi at a cost of \$7500, and authorized the City Manager to execute the contract on behalf of the City.

CONTRACT FOR ANNUAL
AUDIT FOR ONE YEAR ONLY
APPROVED

Council was advised by the City Manager that the City's contract for the annual audit with Mr. McCandless has expired. Mr. Graves stated that he has discussed the matter with Mr. McCandless and Mr. McCandless has offered to enter into a new three-year contract at a fee of \$2500 per year. Mr. Graves informed the Council that H. P. McCandless is now a member of Elmer Fox and Company.

Following discussion on the matter, on motion of Councilman Pinkerton, Hughes second, Council approved a contract with Elmer Fox and Company (Formerly H. P. McCandless) for the annual audit, for one year only, at a fee of \$2500.

AGENDA ITEM
WITHDRAWN

With Council's concurrence, Agenda Item "k" - "Approve position specifications - Police Captain, Lieutenant and Sergeant" was withdrawn from the Agenda.

REQUEST MEETING
WITH S. P.

On suggestion of Councilman Katnich, with Council concurrence, City Manager Graves was directed to write a letter to the Southern Pacific Company requesting a meeting at a specific date and time to discuss the proposed S. P. switching yard to be situated in the area of Harney Lane and Kettleman Lane and to discuss other matters of mutual interest.

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BILINGUAL BALLOTS
REQUIRED IN CITY
ELECTIONS

11-7

Councilman Hughes stated that he had recently read an article whereby the City of Lodi will be required to provide bilingual ballots at the forthcoming City election and added that this requirement seems to be necessitated by amendments to the 1964 Voters Rights Act. Councilman Hughes requested a copy of the 1964 Voters Rights Act, as amended, so that further scrutiny may be given to this requirement.

ADJOURNMENT

There being no further business, Mayor Schaffer adjourned the meeting at approximately 10:05 P.M. on motion of Councilman Katnich, Pinkerton second.

Alice M. Reimche
Attest: ALICE M. REIMCHE
City Clerk